



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/657,595

09/08/2003

Ronald L. Mahany

14406US03

5619

23446 7590 03/25/2009
MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER

PEYTON, TAMMARA R.

ART UNIT

PAPER NUMBER

2182

MAIL DATE

DELIVERY MODE

03/25/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO IL 60661

In re Application of:
Ronald Mahany et al.
Appl. No.: 10/657,595
Filed: September 8, 2003
For: COMMUNICATION NETWORK HAVING A PLURALITY
OF BRIDGING NODES WHICH TRANSMIT A BEACON
TO TERMINAL NODES IN POWER SAVING STATE
THAT IT HAS MESSAGES AWAITING DELIVERY

DECISION ON PETITION
UNDER 37 CFR § 1.59

This is a decision on the petition under 37 CFR § 1.59(b), filed February 18, 2009, to expunge the information in six references, listed as Cite No. C27, C28, C29, C119, C120, and C431, unintentionally submitted in an Information Disclosure Statement on 6/5/2006.

The petition is **GRANTED**.

Petitioner requests that the unintentionally submitted information entitled

C27 - "CDMA Digital CAI Standard, Cellular System Dual-Mode Mobile Station-Base Station Compatibility Standard, Draft Rev. 0", 07/31/1990, Bates Nos. QBB 138614-832

C28 - "CDMA Digital CAI Standard, Cellular System Dual-Mode Mobile Station-Base Station Compatibility Standard, Draft Rev. 1 ", 10/01/1990, Bates Nos. QBB 138833-9249

C29 - "CDMA Digital CAI Standard, Cellular System Dual-Mode Mobile Station-Base Station Comparability Standard, Draft Rev. 1.1", 07/15/1991, Bates Nos. QBB 139250-858

C119 - "Proposed EAI,TIA Standard, Cellular System CDMA-Analog Dual-Mode Mobile Station - Base Station Compatibility Standard, Rev. 1.12", 03/16/1992

C120 - "Proposed EAI,TIA Standard, Cellular System CDMA-Analog Dual-Mode Mobile Station - Base Station Compatibility Standard, Rev. 1.13", 03/23/1992

C431 - "Proposed EAI,TIA Standard, Cellular System CDMA-Analog Dual-Mode Mobile Station - Base Station Compatibility Standard, Rev. 1.14", 04/21/1992

filed on June 3, 2006 be expunged from the record and returned to applicant. Petitioner states that the failure to obtain the return of the unintentionally submitted information would cause irreparable harm to applicant. The petition fee set forth in 37 CFR § 1.17(g) has been paid.

Accordingly, the documents referred to above as C27, C28, C29, C119, C120, and C431 will be expunged from the record.


The expunged material has been closed from public view and will not be returned to applicant.

The identified documents are currently not available for public view as of December 21, 2007. It is noted that the instant application has been published on April 21, 2005. Thus, the IDS filed on June 3, 2006, and the identified documents submitted on June 3, 2006 have already been made available to the public and subject to copying by the public. According, the Office cannot guarantee that the information being closed as a result of this decision was not previously accessed by the public.

It is noted that applicants must submit a new IDS to replace the IDS that was submitted on June 3, 2006, listing all the documents other than the expunged documents, if the Applicant wishes the office to consider those documents.

Applicant is required to retain the expunged material(s) for the life of any patent which issues on the above-identified application.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-4210.



Mano Padmanabhan,
WQAS 2180, Technology Center 2100
Computer Architecture, Software, and Information Security